

AMENDED IN ASSEMBLY JUNE 10, 2014

AMENDED IN SENATE JANUARY 6, 2014

SENATE BILL

No. 469

Introduced by Senator Corbett

February 21, 2013

An act to amend Section 35110 of, and to add Section 35405 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 469, as amended, Corbett. Vehicles: aerodynamic vehicles.

Existing law limits the length of vehicles and combinations of vehicles coupled together. Existing law permits door handles, hinges, cable cinchers, chain binders, aerodynamic devices, and holders for the display of placards warning of hazardous materials to extend 3 inches on each side of the vehicle. Under existing law, any extension or device used to increase the carrying capacity of a vehicle is generally included in measuring the length of a vehicle, subject to certain exceptions.

This bill would also permit a tarping system, as defined, and all nonproperty carrying devices or components to extend 3 inches on each side of the vehicle, as specified. The bill would exclude an aerodynamic device, as defined, that extends no more than 5 feet beyond the rear of a vehicle from the calculation of a vehicle's length if the device meets specified conditions, including that the device does not obscure tail lamps, turn signals, marker lamps, identification lamps, or any other required safety devices.

~~Existing law limits the width of a vehicle to no more than 102 inches, with certain exceptions, including that a vehicle may have an aerodynamic device, as defined, that extends up to 3 inches beyond each side of the vehicle. Existing law prohibits an aerodynamic device~~

~~from adversely impacting the vehicle's swept width and turning characteristics.~~

~~This bill would instead prohibit an aerodynamic device from affecting the vehicle's turning radius, as defined, or interfering with the vehicle's ability to complete a turn.~~

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35110 of the Vehicle Code is amended
2 to read:

3 35110. (a) Door handles, hinges, cable cinchers, chain binders,
4 aerodynamic devices, holders for the display of placards warning
5 of hazardous materials, and a tarping system and all nonproperty
6 carrying devices or components thereof, may extend three inches
7 on each side of the vehicle.

8 (b) ~~(1)~~ For purposes of this section, "aerodynamic device"
9 means a device that uses technologies that minimize drag and
10 improve airflow over an entire tractor-trailer vehicle. These include
11 gap fairings that reduce turbulence between the tractor and trailer,
12 side skirts that minimize wind under the trailer, and rear fairings
13 that reduce turbulence and pressure drop at the rear of the trailer.
14 ~~An aerodynamic device shall not have the primary purpose of~~
15 ~~advertising and shall not affect the vehicle's turning radius or~~
16 ~~interfere with the vehicle's ability to complete a turn. trailer;~~
17 *provided that these devices shall not adversely impact the vehicle's*
18 *swept width and turning characteristics and that the primary*
19 *purpose of the device is not for advertising.*

20 ~~(2) As used in paragraph (1), "turning radius" means the angle~~
21 ~~that the tractor can rotate relative to the trailer while completing~~
22 ~~a turn.~~

23 (c) (1) For purposes of this section, "a tarping system" means
24 a movable device used to enclose the cargo area of flatbed
25 semitrailers or trailers.

26 (2) Subdivision (a) applies to all component parts of a tarping
27 system, including the following:

28 (A) The transverse structure at the front of the vehicle to which
29 the sliding walls and roof of the tarp mechanism are attached,
30 provided the structure is not also intended or designed to comply

1 with Section 393.106 of Title 49 of the Code of Federal
2 Regulations. The transverse structure may be up to 108 inches
3 wide if properly centered so that neither side extends more than
4 three inches beyond the structural edge of the vehicle.

5 (B) The side rails running the length of the vehicle.

6 (C) The rear doors, provided the only function of the rear doors
7 is to seal the cargo area and anchor the sliding walls and roof.

8 (D) The “wings” designed to close the gap between a
9 headerboard designed to comply with Section 393.106 of Title 49
10 of the Code of Federal Regulations and the movable walls and
11 roof of a tarping system, provided they are add-on pieces designed
12 to bear only the load of the tarping system itself and are not integral
13 parts of the load-bearing headerboard structure.

14 (d) For purposes of this section, a “headerboard designed to
15 comply with Section 393.106 of Title 49 of the Code of Federal
16 Regulations” is load bearing and does not exceed 102 inches in
17 width.

18 SEC. 2. Section 35405 is added to the Vehicle Code, to read:

19 35405. (a) An aerodynamic device that extends no more than
20 five feet beyond the rear of a vehicle shall not be included in
21 measuring the length of the vehicle or combination of vehicles, if
22 both of the following conditions are met:

23 (1) The device does not have the strength, rigidity, or mass to
24 damage a vehicle, or injure a passenger in a vehicle, that strikes
25 the vehicle equipped with the device from the rear.

26 (2) The device does not obscure tail lamps, turn signals, marker
27 lamps, identification lamps, or any other required safety devices,
28 including, but not limited to, hazardous materials placards or
29 conspicuity markings.

30 (b) For purposes of this section, “aerodynamic device” has the
31 same meaning as defined in Section 35110.